

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
ALABAMA
NORTHERN DIVISION

2008 JAN 25 P 3:39

UNITED STATES OF AMERICA)

Plaintiff,)

v.)


APPROXIMATELY TWELVE)
THOUSAND (\$12,000) DOLLARS IN)
UNITED STATES CURRENCY)

Defendant.)

DEBRA P. HACKETT, CLK
CIVIL ACTION NO.: 2:07-cv-687-ID
MIDDLE DISTRICT ALA

NOTICE OF FILING EVIDENTIARY SUBMISSION

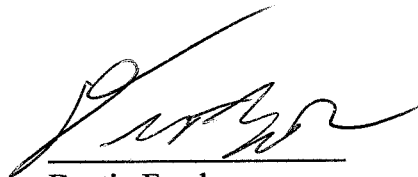
The Defendant files the attached, Defendant's Exhibit F, Plaintiff's Answers To
Interrogatories, in support of their Motion For Summary Judgment:


Dustin J. Fowler
Buntin, Etheredge, & Dowling, LLC
185 N. Oates Street
Dothan, Alabama 36301

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion has been mailed by U.S. First Class Mail, postage prepaid, and/or hand delivered to the following of record on this the 25th day of January, 2008.

John Harmon
United States Attorney
Middle District of Alabama
131 Clayton Street
Montgomery, Al 36101-0197


Dustin Fowler

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,)
)
 PLAINTIFF,)
)
 v.) CIVIL ACTION NO. 2:07cv687-MEF
)
APPROXIMATELY TWELVE THOUSAND)
(\$12,000) DOLLARS IN UNITED)
STATES CURRENCY,)
)
 DEFENDANT.)

PLAINTIFF'S ANSWERS TO INTERROGATORIES

The United States of America, by and through Leura G. Canary, United States Attorney, Middle District of Alabama, and John T. Harmon, Assistant United States Attorney, submit the following answers to the interrogatories propounded by Claimant:

1. Please identify the person and/or persons who gave responses(s) to these interrogatories?

(a) name of the person(s);

(b) job title of the person(s).

Answer: Robert Greenwood, Special Agent, Drug Enforcement Administration. Responses based upon information provided by other law enforcement officers, documents, and reports.

2. Your verified complaint in rem stated that "On January 18, 2007, the Dothan Police Department received information that a black male in a white Chevrolet Suburban and two black males in a tan Dodge Magnum were involved in a drug transaction in the rear

parking lot of the Holiday Inn Express, located at 3071 Ross Clark Circle, Dothan, Alabama." Please identify:

- (a) name and title of all the people who provided the information;
- (b) the date of the communication and correspondence;
- (c) the names of the parties involved;
- (d) the substance of each transaction, correspondence, and conversation;
- (e) the place and/or places where such communications occurred.

Answer: This information was received via an anonymous telephone call, which gave information about drug transactions involving the vehicle and the location.

3. Your verified complaint in rem stated that "Davis was identified was being involved in a Drug Enforcement Administration (hereinafter, "DEA") case for trafficking cocaine." Please identify:

- (a) the name and title of all the people who provided the information;
- (b) the date of the communication and correspondence;
- (c) the names of the parties involved;
- (d) the substance of each transaction, correspondence, and conversation;
- (e) the place and/or places where such communications occurred.

Answer: Michael Campbell, former Houston County, Alabama Deputy Sheriff. See DEA 6 submitted as production.

4. Your verified complaint in rem stated that "Room 247 was rented by Kionne Edward Johnson, a known drug trafficker in the Dothan area, and a criminal associate of Rivers and Davis." Please identify:

- (a) the name and title of all the people who provided the information;
- (b) the date of the communication and correspondence;
- (c) the names of the parties involved;
- (d) the substance of each transaction, correspondence, and conversation;
- (e) the place and/or places where such communications occurred.

Answer: Johnson was previously arrested for marijuana possession. All other information obtained through anonymous tips and other investigations. See attached production.

5. Identify each and every fact upon which you assert a claim and/or entitlement to relief against the Defendant in this case. This is to include when and where the property was seized, the circumstances and probable cause for the seizure, and the theory of the government for the forfeiture of property.

Answer: Davis' possession of a large amount of cash in a place and under circumstances indicating that said cash was obtained through drug sales and/or was intended to be used to

purchase additional drugs; possession of a weapon; possession of illegal drugs; present at a site of illegal drug transactions; association with persons involved in illegal drug sales; lack of verifiable employment or a legitimate source of income; subsequent illegal drug possession arrest(s).

6. Identify all documents you intend to use with respect to any motion for summary judgment, and which you intend to introduce into evidence at any trial of this matter.

Answer: See attached production.

7. Your verified complaint in rem stated that "The only reasonable source for the Defendant currency is drug sales." Identify each and every fact, in detail, upon which you assert this accusation.

Answer: Lack of employment by Davis and questionable reported sources of income.

8. Please state the name, address and telephone number of each and every person believed by you to have knowledge of any facts related in any manner whatsoever to each allegation of your Complaint. Also, state the factual knowledge that you believe each such person possesses.

Answer: See attached production.

9. With respect to each of the persons identified above, state:

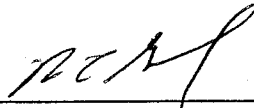
- (a) his and/or her exact location at the time of the arrest of Mr. Derrick Davis and;

(b) his and/or her activity at the time of the arrest of Mr. Davis.

Answer: See attached production.

10. Please identify each and every confidential informant and/or witness believed by you to have knowledge of any facts related in any manner whatsoever to each allegation of your Complaint. This is to include the factual knowledge that you believe each such person possesses and if any details and/or leniency was given and/or promised to said person(s).

Answer: None.



ROBERT GREENWOOD - Special Agent
Drug Enforcement Administration

Sworn to and subscribed before me this 21st day of November, 2007.



Notary Public

Commission Expires: 04/02/2011